

REMARKS

In the Office Action mailed February 11, 2009 the Office noted that claims 1-20 were pending and rejected claims 1-6, 11-14 and 20 and objected to claims 7-10 and 15-19. In this amendment claims 2, 4, 6 and 14 have been amended, claims 1 and 13 have been canceled, claims 21-24 are new, and, thus, in view of the foregoing claims 2-12 and 14-24 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claims 7-10 and 15-19 would be in a condition for allowance if re-written in independent form. The Applicants thank the Office for the consideration given the claims and submit that the claims are allowable for the reasons discussed below.

CLAIM OBJECTIONS

Claims 1-12 stand objected to. In particular, the Office asserts that claim 1 uses improper language. The Applicants have canceled claim in favor of claim 21 in which the language is altered.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 1-6, 11-14 and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Frederic, FR 2,776,796. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Claims 1 and 13 have been cancelled in favor of claims 21 and 22 respectively. Support for the amendment may be found, for example, in claims 1 and 13. The Applicants submit that no new matter is believed to have been added by the addition of claims 21 and 22.

The Applicants amended the claims to make clear that there is a card body, on one hand, and a subassembly, on the other hand; the card body is provided with a housing in a portion of its thickness (which means, as shown in every embodiment, that the housing extends from a face of the card body up to a portion of the thickness thereof); the subassembly comprises a support film which is provided with an internal face (which means that this face will be facing an inner portion of the smart card) and an external face (which means that this face will provide - together a possible cover layer as explained at the very end of the description - an external face of the smart card); a microcircuit and at least one other component are mounted on the internal face, whereas external contacts are provided on the external face; the support film is provided with a window through which the other component is accessible on the surface of the

smart card; the support film, the microcircuit, the other component and the external contacts constitute a subassembly which is fixed within the housing of the card body.

On page 4 of the Office Action, it is stated in the *Response to Arguments*:

In response to the applicant's argument that Frederic does not provide the supporting film with a window facing a portion of the accessible component, the examiner respectfully disagrees. Frederic teaches that one or more windows are provided for housing of microcircuit 2 and the accessible component 4 (see page 7, 30-31, "une ou plusieurs ouvertures pouvant servir de logement au module 2 et a l'afficheur 4").

However, Frederic does not provide the supporting film with a window facing a portion of the accessible component, since French page 7 states, in lines 30-31, that there are one or more openings able to provide a housing for the module 2 and the component 4. We understand that the Office considers there that our support film provided with the microcircuit, the accessible component and the external contacts is anticipated by the combination of plate 11 with the microcircuit and the component 4.

We respectfully disagree. In fact, in such interpretation of Frederic, the plate does not comprise the external contacts, and the microcircuit and the component 4 are not mounted on the plate. The statement of lines 8 to 13 of page 8 of this French reference can be translated as follows: "The back surface of plate 11 is covered by an adhesive film 12, the adhesive face of which is applied against the plate. This film 12

covers the openings 13, 14 so that it constitutes a bottom for the housings provided in the card by the openings. This bottom is adhesive."

Further, we refer to lines 6 to 11 of page 9 can be translated as follows: "When they are put in place on the plate 11, the components intended to reach the surface of the card, i.e., in the exemplified embodiment, module 2 and display 4, are inserted respectively in openings 14 and 13 and are stuck by the adhesive material of film 12." Thus the microcircuit and the display are not mounted on an internal face of this plate.

Thus, it is clear that the external contacts are not provided on any face of this plate (they are carried by the module itself on its face opposite to the face on which the microcircuit is mounted).

Further, the module and the display are not mounted on any face of this plate, since they are received in the openings and temporarily maintained by the adhesive film. In other words, the combination of the module 2, display 4 and plate 11 of the Frederic reference cannot anticipate the subassembly of our main claims. This is confirmed when considering figure 2 of this reference and the upper part of figure 4 of our pending patent application (see subassembly S2), or the subassembly 12+10 and 11 of our figure 2 (corresponding to figure 1).

On page 4 of the Office Action, it is stated in the *Response to Arguments*, the Office further states "[t]he applicant

further argues that Frederic merely discusses two plates with embedded the assembly. The examiner's position is that such structure serves as housing for the assembly."

The Applicants respectfully disagree. If the Office considers that the lower plate is part of the assembly, it cannot further consider that this plate is part of a structure housing the assembly. In any case, we submit that Frederic fails to teach a card body with a housing wherein the assembly is fixed, since Frederic teaches a combination of plates between which all components are sandwiched together with a resin, so that there is no card body provided with a housing, on one hand, wherein the subassembly is fixed at a later stage, but a mere median material embedding the components.

It is submitted that in the claims the housing comprises a cavity wherein at least a portion of the subassembly is fixed by a resin (which implies that there is an additional material for fixing this portion to the walls of the housing/cavity). Such a feature is not taught by the prior art.

For at least the reasons discussed above, claims 21 and 22 and the claims dependent therefrom are not anticipated by Frederic.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Claims 23 and 24 are new. Support for the claims may be found, for example, in ¶ 0052 of the printed publication version of the Specification. The Applicants submit that no new matter is believed to have been added by the addition of the claims. The prior art of record fails to disclose the housing comprises at least one cavity where at least a portion of the subassembly is fixed by a resin.

Charge the fee of \$104 for the two claims of any type added herewith, to our credit card.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 102. It is also submitted that claims 2-12 and 14-24 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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